



RECEIVED

JAN 30 2004

APPENDIX B - 1

TECHNOLOGY CENTER R3700

Atty Dkt: 1062/B40

DECLARATION AND POWER OF ATTORNEY

We, the below named inventors, hereby declare that:

Our residences, post office addresses, and citizenships are as stated below next to our respective names.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **AXIALLY FLEXIBLE STENT**, the specification of which:

_____ is attached hereto.

X was filed on December 20, 1996 as serial number 08/770,236.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby claim the benefit under 35 U.S.C. §119(e) of United States provisional applications 60/010,686 filed January 26, 1996; 60/017,479 filed April 26, 1996; 60/017,415 filed May 8, 1996; and 60/024,110 filed August 16, 1996.

We hereby appoint the following attorneys:

	<u>Registration No.</u>
Bruce D. Sunstein	27,234
Robert M. Asher	30,445
Timothy M. Murphy	33,198
Harriet M. Strimpel	37,008
Chinh H. Pham	39,329
Samuel J. Petuchowski	37,910

all of the firm **BROMBERG & SUNSTEIN**, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

We request that all correspondence be directed to:

BROMBERG & SUNSTEIN
125 Summer Street, 11th Floor
Boston, MA 02110-1618

Attn: Harriet M. Strimpel, Ph.D.

and all telephone calls should be directed to:

Harriet M. Strimpel, Ph.D. (617) 443-9292

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Larry B. Gray

Full name of first inventor

Larry

First name

B.

Middle initial

Gray

Last name

Inventor's signature: Larry B. Gray

Date: 2/3/97

Country of Citizenship: _____

Residence: 19 Iris Drive, Merrimack, NH 03054

Post Office Address: same as residence

Ann Eckert

Full name of second inventor

Ann

First name

Middle initial

Eckert

Last name

Inventor's signature: Ann Eckert

Date: 2-21-97

Country of Citizenship: USA

Residence: 2902 Hermitage Avenue, Easton, PA 18045

Post Office Address: same as residence

Todd Chelak

Full name of third inventor

Todd

First name

M.

Middle initial

Chelak

Last name

Inventor's signature: Todd Chelak

Date: 2-26-97

Country of Citizenship: USA

Residence: 199 C4 N. Beverwyck Road, Lake Hiawatha, NJ 07034

Post Office Address: same as residence

Robert Tumarkin

Full name of fourth inventor

Robert

First name

M

Middle initial

Tumarkin

Last name

Inventor's signature: Robert Tumarkin

Date: 2-27-97

Country of Citizenship: USA

Residence: 17 Augusta Avenue, Edison, NJ 08820

Post Office Address: same as residence